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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,698	11/09/2001	Junbiao Zhang	A8182	5838
7590 07/22/2008				
SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, NW Washington, DC 20037-3213				
EXAMINER				
PEACHES, RANDY				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
07/22/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

09/986,698

## Applicant(s)

ZHANG, JUNBIAO

## Examiner

RANDY PEACHES

## Art Unit

2617

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6,8,10-12,14-23 and 25-32 is/are allowed.
- 6) ☐ Claim(s) 1,3 and 5 is/are rejected.
- 7) ☐ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Non-Final Office Action mailed on **5/29/2008**, erroneously sent by the Examiner is hereby vacated and withdrawn. This supplemental action is replacing the action mentioned above. The statutory period for reply is set to expire 3 months from the mailing date of this supplemental action.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 3 and 5** are rejected under 35 U.S.C. 102(e) as being anticipated by Ohta (U.S. Patent Number 6,980,319 B2).

Regarding **claim 1**, Ohta discloses a method for extending a capability of a portable digital device (PDD, 11), which reads on claim “handheld device,” capable of independent operation, the method comprising:

- detecting a plurality of print stations (12a, 12b, 12c), which reads on claim “helper device,” that provides a resource (whereby the resource is printing). See column 5 lines 48-51 and column 4 lines 40-45;

- requesting access to the resource from the helper device. The process that is taught by Ohta details support that upon establishing wireless connectivity, access is requested and granted via the operation detailed in column 5 lines 58-67 and column 6 lines 1-11;
- transferring print data pointer, which reads on claim "data," to the said print station (12a, 12b, 12c), upon establishing wireless connectivity from the said PDD, if the said print station (12a, 12b, 12c) grants access to the resource. The Examiner equates "establishing connectivity" as the same as the Applicant's claimed "grant access". See column 6 lines 2-5;
- using the resource to process the said print data pointer transferred from the said PDD (11) at the said print station (12a, 12b, 12c). See column 6 lines 14-21;
- wherein the resource is not adequately provided by the independent operation of the said PDD (11). See column 10 lines 32-38;
- wherein if the said print station (12a, 12b, 12c) denies access to the resource, detecting another said print station (12a, 12b, 12c) that provides the resource. The search process performed by the said PDD (11), adequately satisfies the Applicant's process by of denying access whereby if the said print station (12a, 12b, 12c) is not in the vicinity or does not meet the print data pointer

parameters, then the PDD (11) will continue the search process until the criteria is satisfied. See column 10 lines 1-38.

Regarding **claim 3**, according to **claim 1**, Ohta continues to disclose wherein the resource to process the data transferred from the handheld device is controlled by the handheld device. See column 5 lines 48-63.

Regarding **claim 5**, according to **claim 1**, Ohta continues to disclose wherein the sending a status report of the operation of the resource on the data from the said print station (12a, 12b, 12c) to the PDD (11), wherein the PDD (11) performs an action based on the status report. See column 10 lines 45-56.

***Allowable Subject Matter***

**2. *Claims 6,8,10-12,14-23 and 25-32* are allowed.**

The following is a statement of reasons for the indication of allowable subject matter:

At this current stage of prosecution, the claims are deemed allowable over the cited prior art based on the premise that constructing and displaying a control interface from the interface description at the handheld device and processing a user interaction with the control interface at the handheld device whereby operating the first helper device based on the user interaction.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RANDY PEACHES whose telephone number is (571) 272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Randy Peaches/

Examiner, Art Unit 2617

/Charles N. Appiah/

Supervisory Patent Examiner, Art Unit 2617

